

REMARKS

This Amendment is filed in response to the FINAL Office Action mailed on August 26, 2004, all objections and rejections are respectfully traversed. Also, all Official Notice citations are respectfully traversed.

Claims 1-28 are in the case.

No Claims were amended.

No New Claims were added.

At Paragraph 3 of the Office Action, it was indicated that the Examiner's assertions of official notice were not traversed. Applicant disagrees. At two places in the Amendment, Page 1 and Page 7, it is stated in the Amendment:

“This Amendment is filed in response to the Office Action mailed on February 2, 2004. All objections and rejections are respectfully traversed.”

Applicant respectfully urges that the statement “All objections and rejections are respectfully traversed” includes “all” objections and rejections, including the Examiner's assertions of official notice.

In the present Amendment, direct reference to the Examiner's official notice is made in the following sentence: "Also, all Official Notice citations are respectfully traversed" at Page 1 and Page 7 of the present Amendment.

At Paragraph 3 of the Office Action Claims 1-4, 7, 8, 13-16, 19, 23, 25-27 were rejected under 35 U.S.C. § 102(b) as being anticipated by Chu et al. U. S. Patent No. 6,346,954 issued on February 12, 2002 (hereinafter Chu).

The present invention, as set out in representative claim 1, comprises in part:

1. A system for reporting information related to predetermined storage volumes in a network including at least one storage appliance comprising:
 - a monitor process that identifies volumes and retrieves statistical information with respect to the volumes;*
 - an interface adapted to enable volumes to be associated with a group; and
 - a reporting process that organizes and displays the statistical information with respect to the volumes associated with the group to interested parties.

Chu discloses a method for managing a number of disk drives connected as a single RAID system. Chu's management system permits him to display available physical drives in a tree frame, open an array frame, select a stripe size, select a subset of physical drives for an array frame, display unusable space on each physical drive, add logical drives to an array frame, adjust the size of logical drives, select a data distribution mode

for each logical drive, monitor operating status of the data storage system, and display status of physical drives in a selected open array frame. (See Fig. 4 of Chu).

At Page 9 of the Office Action, in the section “*Response to Argument*” the Examiner asserts that:

“Examiner interprets storage space within each disk drive to volumes, therefore Chu does display statistical information regarding them (Col. 1, lines 8-15, col. 8, lines 47- col. 9 lines 8) . . .”.

Applicant respectfully notes that a “volume”, as set forth in the present specification, drawings, and claims is not “storage space within each disk drive”. A volume is a logical concept that usually embraces a plurality of disk drives. For example a set of a plurality of disk drives may store a plurality of logical volumes. See Specification at page 2 lines 1-3, which state:

“A filer is organized so that it includes one or more of storage “volumes” that comprise a cluster of physical storage disks, defining an overall logical arrangement of storage space.”

Applicant’s Amendment filed on May 3, 2004, has a thorough discussion of the nature of a “volume”. From a careful reading of the parts of the Specification quoted in

the Amendment filed May 3, 2004, it is clear that a volume is a logical construct which embraces a plurality of disk drives. A “volume” certainly is not, as the Examiner asserts, “storage space within each disk drive.”

As set out in representative claim 1, Applicant claims *a monitor process that identifies volumes and retrieves statistical information with respect to the volumes*. Chu is silent concerning the logical concept of “volumes”. Applicant claims *a monitor process that identifies volumes*. Accordingly, Applicant respectfully urges that Chu has no disclosure of Applicant’s claimed novel monitoring of volumes.

Accordingly, Applicant respectfully urges that Chu is legally precluded from anticipating Applicants claimed novel invention under 35 U.S.C. 102 because of the absence from Chu of Applicant’s claimed novel *a monitor process that identifies volumes and retrieves statistical information with respect to the volumes*.

At Page 6 of the Office Action, Claims 5-6, 9-12, 17-18, 22, 24 and 28 were rejected under 35 U.S.C. 103(a) over Chu.

Applicant respectfully notes that Claims 5-6, 9-12, 17-18, 22, 24 and 28 are dependent claims, and that these dependent claims are dependent from independent claims

believed to be in condition for allowance. Accordingly, Claims 5-6, 9-12, 17-18, 22, 24 and 28 are believed to be in condition for allowance.


All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent from allowable independent claims, and therefore in condition for allowance.

Favorable action is respectfully solicited.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,



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